

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

Clarence Bogan,	:	
	:	
Plaintiff(s),	:	
	:	Case Number: 1:11cv287
vs.	:	
	:	Chief Judge Susan J. Dlott
Deputy Warden Harris, et al.,	:	
	:	
Defendant(s).	:	

ORDER

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Karen L. Litkovitz filed on August 15, 2011 (Doc. 13), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired September 1, 2011, hereby ADOPTS said Report and Recommendation.

The Court ORDERED Plaintiff to pay the filing fee of \$350 by August 5, 2011. As of this date, Plaintiff has failed to comply with the Order of the Court.

Therefore, this case is hereby **DISMISSED** for Plaintiff's failure to pay the full filing fee. Plaintiff is **ASSESSED** the full filing fee of \$350. The Clerk of Court is **DIRECTED** to mail a copy of this Order adopting the Report and Recommendation, along with the attached instructions, to the Cashier of the Lebanon Correctional Institution in Lebanon, Ohio.

The Cashier at the prison is **ORDERED** to deduct and forward to the Clerk of Court, 20% of the preceding month's income credited to plaintiff's account each time the amount in the account exceeds \$10.00 until the full fee has been paid.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this Order will

not be taken in good faith. *See McGore*, 114 F.3d 601.

IT IS SO ORDERED.

s/Susan J. Dlott  
Chief Judge Susan J. Dlott  
United States District Court